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**LAW DEPARTMENT**  
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April 3, 2008

**VIA HAND**

Honorable Theodore H. Katz  
United States Magistrate Judge  
Southern District of New York  
500 Pearl Street, Room 1660  
New York, New York 10007

**MEMO ENDORSED**

Re: Jonathan Casanova v. Correction Officer Reid, et al.  
07 Civ. 3483 (GBD)

Your Honor:

I am the Assistant Corporation Counsel in the office of Michael A. Cardozo, Corporation Counsel of the City of New York assigned to the defense of the above referenced matter. In that capacity, I write to respectfully respond to plaintiff's letter to the Court dated March 11, 2008, but not received by this office until March 20, 2008. Defendants further write to advise the Court of the status of plaintiff's pending criminal charges.

By letter dated October 18, 2007, this office requested that the Court stay this matter in its entirety pending the resolution of plaintiff's underlying criminal charges which form the basis of the instant action.<sup>1</sup> By Order dated October 24, 2007, the Court granted this request. The Court's Order furthermore instructed this office to inform the Court of the resolution or status of plaintiff's pending criminal charges by January 31, 2008. By letter dated January 30, 2008, the undersigned advised the Court that plaintiff's criminal action was still pending and that plaintiff had a hearing scheduled for the criminal case on February 4, 2008. By Order dated January 30, 2008, the Court continued the stay in this matter.

In plaintiff's March 11, 2008 letter to the Court, plaintiff alleges that "to [his] knowledge [the February 4, 2008 criminal hearing] never existed because [he] hasn't had a court date for this matter since the beginning of last year."<sup>2</sup> However, according to Office of Court Administration records, such a hearing was scheduled for February 4, 2008, and another hearing is

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<sup>1</sup> For the Court's convenience, a copy of this letter is annexed hereto as Exhibit "A."

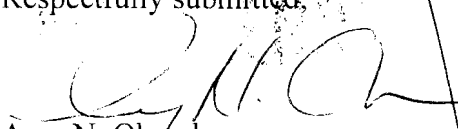
<sup>2</sup> A copy of plaintiff's Letter dated March 11, 2008 is annexed hereto as Exhibit "B."

scheduled in plaintiff's criminal case on April 7, 2008.<sup>3</sup> Moreover, plaintiff admits in his March 11, 2008 letter that his criminal case is still pending.

Accordingly, as plaintiff's criminal case is still ongoing, this office respectfully requests that the Court continue the stay in this matter, in its entirety, pending the disposition of plaintiff's criminal case, and that defendants be permitted two weeks from the time such stay is lifted to answer or otherwise respond to the complaint

I thank the Court for its time and consideration of this request.

Respectfully submitted,

  
Amy N. Okereke  
Assistant Corporation Counsel  
Special Federal Litigation Division

cc: Honorable George B. Daniels, United States District Judge (via hand)

Jonathan Casanova, plaintiff *pro se* (via first class mail)  
07-A-6541  
Sing Sing Correctional Facility  
354 Hunter Street  
Ossining, New York 10562

*Granted.*

**SO ORDERED**  
*4/3/08 Theodore H. Katz*  
**THEODORE H. KATZ**  
**UNITED STATES MAGISTRATE JUDGE**

<sup>3</sup> A copy of the Office of Court Administration records indicating that a hearing was scheduled in plaintiff's criminal case on February 4, 2008, and that another hearing is scheduled for April 7, 2008, is annexed hereto as Exhibit "C."